

REMARKS

In the Office Action, claims 1-38 are rejected. With this paper, none of the claims are amended, none are canceled and none are added.

**Claim Rejections under 35 USC §102**

In section 3 of the Office Action, claims 1-4 and 18 are rejected under 35 USC 102(e) as being anticipated by Melaku *et al* (US Publication 2003/0032414, Melaku hereinafter).

The communication apparatus in claim 1 comprises a controller, an interface adapted to receive an electronic message, a display, and a memory. The features of the invention include: (1) the memory stores at least one predefined icon to be presented on the display so as to indicate receipt of an electronic message, (2) the memory also stores an association between each predefined icon and a senders of electronic messages, (3) the controller determines a sender of a received electronic message, matches the sender with a predefined icon by way of the association, and presents the matching icon, if any, on the display to indicate the receipt of the message as well as the sender of the message.

The present invention enables a recipient of electronic messages to be informed of the identity of a sender of a message without actually opening the message. The displayed icon is easy to recognize and may save the recipient a significant amount of time.

In response to Applicant's previous remarks, the Examiner states that:

Third, Melaku discloses .... When the handset 102B receives a new SMS message. The handset determines whether the message has Picture Caller Line Identification (PCLI) header. If the message includes a PCLI header, the handset 102B extracts the PCLI header, stores in the picture cache 154 and displays to a called party. (page 13, third paragraph of the Office Action).

Applicant believes the Examiner's interpretation of Melaku is incorrect.

Melaku teaches a system for providing picture caller line identification (PCLI) information for called parties in mobile telephone systems (see e.g. paragraph [0021]). Different from the present invention, Melaku concerns a way of displaying the identity of a caller in the beginning of a **phone call**. Melaku teaches transferring a message containing an image (i.e. a PCLI header) in conjunction with the phone call, where electronic messaging is merely used as a transport mechanism to receive the image used to notify an incoming call to

the user. The image is associated with the caller of the phone call, which image is later used to indicate the caller on the recipient's handset.

Melaku discloses the following:

As shown in Fig. 4, the application software remains in a sleep mode 236 until notified that either a new SMS message 232 or a new call 234 has been received ... a determination is made 238 as to whether the message has a PCLI header. ... If the SMS message includes a PCLI header, then the PCLI picture (or other data) and caller ID data is retrieved 240 and stored in the picture cache 154. (paragraph [0040])

and,

Upon notification of receipt of a new call 232, the caller ID is retrieved for the call 244, and a determination is made 246 as to whether the caller ID for the call matches the caller ID for a picture in the picture cache. ... If there is a match, then the picture is displayed on the handset. (paragraph [0041])

Melaku thereby presents displaying a picture matching a caller of a phone call. The display is triggered upon receiving the phone call and a match of the caller ID and the PCLI image is found. Merely receiving an SMS message containing a PCLI header does not result in a display of the image. Melaku also teaches: "If the SMS message does not have a PCLI header then the process returns to sleep mode." (paragraph [0040]). This means if a message is received and the message does not have a PCLI header (like most ordinary SMS messages), the process returns to sleep mode without displaying sender information on the handset like it does with a phone call.

In Melaku, an icon is displayed when receiving a call, not receiving an electronic message, whereas in the present invention, an icon is displayed when receiving an electronic message. This feature can be clearly seen from Figs. 2-7 of the instant application. With the present invention, if an electronic message is received, the display shows the sender of the message by using an icon that is associated with the sender, or using a default icon if no such associated icon is available. In claim 1, there is a limitation where the controller is adapted to "present a matching icon, if any, on said display to indicate receipt of said received electronic message as well as the sender thereof". According to the foregoing analysis, this limitation is not disclosed in Melaku.

Therefore, claim 1 is not anticipated by Melaku. Applicant respectfully requests the rejection of claim 1, and dependent claims 2-4 and 18, be reconsidered and withdrawn.

**Claim Rejections under 35 USC §103**

In section 5 of the Office Action, claims 5-7 and 25 are rejected under 35 USC 103(a) as being unpatentable over Melaku in view of Burns *et al* (US Publication 2002/0126146).

In section 6 of the Office Action, claims 8-17, 19-24, 26-27 and 29-38 are rejected under 35 USC 103(a) as being unpatentable over Melaku in view of Kamimura (US Publication 2002/0094806).

In section 7 of the Office Action, claim 28 is rejected under 35 USC 103(a) as being unpatentable over Melaku in view of Hsu (US Patent 5,907,604).

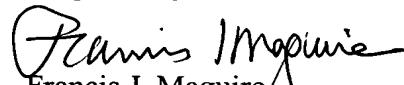
In the above rejected claims, only claim 19 is independent, and claim 19 is rejected for the same reason as set forth in claim 1 (page 11, line 5 of the Office Action).

Since claim 1 is believed to be patentable for the reasons presented in the preceding section, claim 19 is also patentable. All other claims are also patentable due to their dependency to a patentable independent claim. Applicant respectfully requests the claim rejections under 35 USC 103 be reconsidered and withdrawn.

**Conclusion**

For all the foregoing reasons, it is believed that all of the claims of the application are allowable, and their passage to issue is earnestly solicited. Applicant's attorney urges the Examiner to call to discuss the present response if anything in the present response is unclear or unpersuasive.

Respectfully submitted,

  
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